

## Concurrence Sought // OConnor v Eubanks

Philip Ellison <pellison@olicplc.com>

Sun 2/20/2022 1:21 PM

To: Ziehmer, James (AG) <ZiehmerJ@michigan.gov>

Cc: 'McLaughlinB2@michigan.gov' <mclaughlinb2@michigan.gov>

Jim

I just filed a response to your second motion to dismiss. I outline therein the problem with your Exhibits A through D. I am preparing to file a motion "to exclude" your attachments (Exs A-D) erroneously attached to a Rule 12(b)(6) motion. The controlling rule is Rule 12(d).

Please let me know if you concur. LR 7.1(a).

//Philip L. Ellison, MBA, JD, Esq  
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**Motion for Order in 1:21-cv-12837-NGE-PTM O'Connor v. Eubanks et al**

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Mon 2/21/2022 2:37 PM

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**U.S. District Court**

**Eastern District of Michigan**

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**Case Name:** O'Connor v. Eubanks et al

**Case Number:** [1:21-cv-12837-NGE-PTM](#)

**Filer:** Dennis O'Connor

**Document Number:** [14](#)

**Docket Text:**

**[MOTION for Order to Exclude Exhibits from Rule 12\(b\)\(6\) Motion by Dennis O'Connor. \(Ellison, Philip\)](#)**

**1:21-cv-12837-NGE-PTM Notice has been electronically mailed to:**

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